



IFW

PTO/SB/21 (02-04)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

| | | | |
|-----------------------------------------------------------------------------------------|-------------|------------------------|--------------------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | | Application Number | 10/627,372 |
| | | Filing Date | July 24, 2003 |
| | | First Named Inventor | Harrihar A. PERSHADSINGH |
| | | Art Unit | 1632 |
| | | Examiner Name | Not Yet Assigned |
| Total Number of Pages in This Submission | 6 + 3 Refs. | Attorney Docket Number | 421842000400 |

| ENCLOSURES (Check all that apply) | | |
|--------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance communication to Technology Center (TC) |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Terminal Disclaimer | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Request for Refund | 1. Form PTO-1449 (1 page in duplicate) |
| <input checked="" type="checkbox"/> Information Disclosure Statement (3 pages) | <input type="checkbox"/> CD, Number of CD(s) _____ | 2. References (3) |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | | 3. Return receipt postcard |
| <input type="checkbox"/> Response to Missing Parts/Incomplete Application | Remarks | |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--------------------------------------------|---------------------------------------------------------------------------|
| Firm or Individual name | MORRISON & FOERSTER LLP Shantanu Basu - 43,318 (Customer No. 25226) |
| Signature | |
| Date | August 3, 2004 |

| | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|
| I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below. | |
| Dated: August 3, 2004 | Signature: (Martina Placid) |



PATENT
Docket No. 421842000400

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 3, 2004.

Martina Placid

Martina Placid

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Harrihar A. PERSHADSINGH

Serial No.: 10/627,372

Filing Date: July 24, 2003

For: NOVEL PPAR LIGANDS THAT DO
NOT CAUSE FLUID RETENTION,
EDEMA OR CONGESTIVE HEART
FAILURE

Examiner: Not Yet Assigned

Group Art Unit: 1632

**SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicant submits for consideration in the above-identified application the documents listed on the attached Form PTO-1449. The Examiner is requested to make these documents of record.

The documents listed on the attached Form PTO-1449 were cited an International Search Reports mailed on June 18, 2004 (copy attached) and directed to a counterpart international application.

This Supplemental Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114.
- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of ___ is enclosed.
 - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly, no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of ___ is enclosed.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Applicant would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does

not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.


In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing 421842000400. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: August 3, 2004

Respectfully submitted,

By: Shantanu Basu
Shantanu Basu
Registration No. 43,318

Morrison & Foerster LLP
755 Page Mill Road
Palo Alto, California 94304-1018
Telephone: (650) 813-5995
Facsimile: (650) 494-0792

| | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|-------------------------------|
| Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)  | Docket Number 421842000400 | Application Number 10/627,372 |
| | Applicant Harrihar A. PERSHADSINGH | |
| | Filing Date July 24, 2003 | Group Art Unit 1632 |
| | Mailing Date August <u>3</u> , 2004 | |

U.S. PATENT DOCUMENTS

| Examiner Initials | Ref. No. | Date | Document No. | Name | Class | Subclass | Filing Date If Appropriate |
|----------------------|-------------|------|--------------|------|-------|----------|-------------------------------|
| | | | | | | | |

| | Ref. No. | Date | Document No. | Country | Class | Subclass | Translation YES NO |
|--|-------------|------|--------------|---------|-------|----------|-----------------------|
| | | | | | | | |

| | Ref. No. | Title |
|--|-------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | 1. | Database Medline on STN (Columbus, OH, USA) Document No.: 22006210, Accession No.: 2002271257. Diep, Q. et al. (2002). "Structure, Endothelial Function, Cell Growth, and Inflammation in Blood Vessels of Angiotensin II- Infused Rats: Role Peroxisome Proliferator-Activated Receptor-Gamma," <i>Circulation</i> 105(9):2296-2302, abstract, 3 pages. |
| | 2. | Database HCAPLUS on STN (Columbus, OH, USA) Document No.: 133:41183, Accession No.: 2000:195273. Vamecq, J. et al. (2000). "Peroxisome Proliferator-Activated Receptors (PPARs) and Their Implications in Diseases," <i>Current Opinion in Endocrinology & Diabetes</i> 7(1):8-18, abstract, 1 page. |
| | 3. | International Search Report mailed on June 18, 2004, for PCT patent application no. PCT/US03/24881 filed on August 8, 2003, 5 pages. |

| | |
|-----------|------------------|
| EXAMINER: | DATE CONSIDERED: |
|-----------|------------------|

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.